

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FRANCISCO C. RAMIREZ, et al.,
Plaintiffs,
v.
CITY OF SACRAMENTO, et al.,
Defendants.

No. 2:22-cv-01193-DAD-KJN

ORDER TO SHOW CAUSE

Plaintiffs filed a complaint initiating this action on July 7, 2022. (Doc. No. 1.) A summons was issued on July 8, 2022. (Doc. No. 2.) To date, plaintiffs have not filed any proofs of service of the summons and complaint, nor have plaintiffs filed any requests for an extension of time in which to effect service of process. In addition, plaintiffs have not filed a scheduling status report as required by the court's order setting this case for an initial scheduling conference on November 15, 2022. (Doc. No. 6.) Indeed, plaintiffs have not communicated with the court at all since filing their complaint.

Rule 4(m) of the Federal Rules of Civil Procedure provides the time limit for service, stating that that "[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time." Fed. R. Civ. P. 4(m).

1 Accordingly, **plaintiffs are ordered to show cause within seven (7) days** from the date
2 of entry of this order why this action should not be dismissed due to plaintiffs' failure to comply
3 with court orders and failure to serve the defendants in compliance with Rule 4(m) of the Federal
4 Rules of Civil Procedure. Alternatively, within seven (7) days from the date of entry of this
5 order, plaintiffs may file a notice of voluntary dismissal pursuant to Rule 41.

6 Plaintiffs are warned that their failure to comply with this order will result in this action
7 being dismissed due to plaintiffs' failure to comply with court orders and failure to comply with
8 Rule 4.

9 The initial scheduling conference currently set for November 15, 2022 is hereby vacated,
10 to be reset if necessary and appropriate.

11 IT IS SO ORDERED.

12 Dated: **November 2, 2022**

13 
14 UNITED STATES DISTRICT JUDGE